

Dear Richard Holowchak,

Thank you for contacting the Office of the Zoning Administrator (OZA) within the Department of Consumer and Regulatory Affairs (DCRA). I am in receipt of your inquiry which has been submitted to me for review and follow up. I have determined that, after reviewing your email and attachments asking for minor flexibility for construction at 316 2nd St SE under 11 DCMR Section A-304.3, the following:

Subject Zone: *RF-3*

Type of Construction: *Rear addition/extension of the second and third floors*

Requested Relief: *Exceeds lot occupancy*

Standard and Citation: *60% maximum limit as per Section E-504.1*

Flexibility Requested: *2***

Based on the information you provided, the requested flexibility is **at the limit of the 2% allowance for area** requirements, and I find, in accordance with Section A-304.3 (a)-(f) that:

- a) The light and air available to neighboring properties shall not be unduly affected as: *The minor increase of lot occupancy of the one foot extension is minimal.*
- b) The privacy of neighboring properties shall not be unduly compromised as: *The proposed extension will not have windows facing adjacent properties on the sides so it is unlikely to affect privacy.*
- c) The level of noise in the neighborhood shall not be unduly increased because: *The slight overage in lot occupancy is minimal.*
- d) The use and enjoyment of neighboring properties shall not be unduly compromised because: *The slight increase in lot occupancy is unlikely to have any effect.*
- e) No trees which would otherwise be protected by this title or other District of Columbia regulation, would be damaged or removed because: *No trees are proposed to be removed.*
- f) The general scale and pattern of buildings on the subject street frontage and the neighborhood will be maintained, consistent with the development standards of DCMR Title 11, as: *The construction for the slight overage in lot occupancy is at the rear of the property.*

Accordingly, you may proceed with an application and cite this communication that documents the **granting of the requested minor flexibility**. Thanks again for submitting your inquiry and please let me know if you have any additional questions or concerns.

Regards,

Matthew Le Grant
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Board of Zoning Adjustment
District of Columbia
CASE NO 20543
EXHIBIT NO 59C
**Board of Zoning Adjustment
District of Columbia
CASE NO.20782
EXHIBIT NO.6**

Exhibit 9